

## **CITY UTILITIES COMMITTEE**

### **MINUTES**

**OCTOBER 9, 2012**

**9:30 A.M.**

The regularly scheduled meeting of the City Utilities Committee held on **Tuesday, October 9, 2012 at 9:40 a.m., in Committee Room #2.** The following members were present:

**The Honorable Natalyn M. Archibong, Chair**  
**The Honorable Aaron Watson, Vice Chair**  
**The Honorable C. T. Martin**  
**The Honorable Yolanda Adrean**  
**The Honorable Carla Smith**  
**The Honorable H. Lamar Willis**

Others present at the meeting were: Councilmember Joyce Sheperd; Michael Patrick McShane, Stephanie Grant, Lem Ward and Renee Sheperd, Law Department; Commissioner JoAnn J. Macrina, Deputy Commissioners Eric Glover, Margaret Tanner and Frank Stephens; Department of Watershed Management; Commissioner Richard Mendoza, Department of Public Works; Katrina Taylor, Office of the Mayor; members of the public, press and Council Staff.

Chairperson Archibong called the meeting to order at 9:40 a.m. after declaring a quorum present. She then proceeded with the following order of business.

- A. ADOPTION OF AGENDA - ADOPTED**
- B. APPROVAL OF MINUTES - APPROVED**
- C. PMTS MONTHLY REVIEW - DEPARTMENT OF WATERSHED MANAGEMENT**
- D. COMMUNICATION**

12-C-1397 ( 1) A Communication by Councilmembers Cleta Winslow, District 4, Ivory L. Young, Jr., District 3, and Michael J. Bond, Post 1-At-Large, appointing **Mr. Booker Randall** to serve as member of the Water and Sewer Appeals Board. This appointment is for a term of three (3) years, scheduled to begin on the date of Council confirmation.

**(Councilmember Martin made a motion to approve)**

**FAVORABLE - REFERRED TO COMMITTEE ON COUNCIL**

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**E. PUBLIC HEARING - ORDINANCE FOR SECOND READING**

- 12-O-1264 ( 1) A **Substitute** Ordinance by City Utilities Committee authorizing the renaming of Henry Ford, II Avenue/South Central Avenue to Porsche Avenue by and through action of the Commissioner of the Department of Public Works or designee; and for other purposes. **(Public Hearing held 10/9/12)**  
**(Councilmember Martin made a motion to approve on substitute on condition)**

**FAVORABLE ON SUBSTITUTE ON CONDITION**  
**(1 ABSTENTION) ARCHIBONG**

**F. RESOLUTIONS**

- 12-R-1357 ( 1) A Resolution by City Utilities Committee authorizing the Mayor, or his designee, on behalf of the City of Atlanta, to enter into an Encroachment Agreement for Non-Conforming Uses with 180 Peachtree Retail, LLC., owner of real property located at 200 Peachtree Street, NW, Atlanta, Georgia for the purpose of permitting two overhead marquis canopies with electronic changing signs to be installed on each canopy along the west side of Peachtree Street between Andrew Young International Boulevard, NW and Ellis Street, NW; and for other purposes.  
**(Councilmember Martin made a motion to approve)**

**FAVORABLE**

- 12-R-1358 ( 2) A Resolution by City Utilities Committee authorizing the Mayor, or his designee, on behalf of the City of Atlanta, to enter into an Encroachment Agreement for Non-Conforming Uses with ACP/Peachtree Center, LLC, owner of real property located at 225 Peachtree Street, NE, Atlanta, Georgia for the purpose of permitting an overhead canopy with an electronic sign along the east side of Peachtree Street between John Portman Boulevard and Andrew Young International Boulevard, NE; and for other purposes.  
**(Councilmember Martin made a motion to approve)**

**FAVORABLE**

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**RESOLUTIONS (CONT'D)**

- 12-R-1359 ( 3)     A **Substitute** Resolution by City Utilities Committee authorizing the Mayor, or his designee, to execute a Utility Relocation Agreement between the City of Atlanta and the Georgia Power Company for additional right-of-way acquisitions and for the removal, relocation, or adjustment of electrical and communication facilities owned by the Georgia Power Company for construction of the Bolton Road from Paul Avenue to Marietta Boulevard Project in an amount not to exceed \$38,522.00; with all contracted work charged to and paid from the Account Segment/PTAEO Numbers listed; and for other purposes.  
**(Councilmember Martin made a motion to approve on substitute)**

**FAVORABLE ON SUBSTITUTE**

- 12-R-1360 ( 4)     An **Amended** Resolution by City Utilities Committee authorizing the Mayor to enter into Renewal Agreement No. 2 with Tople Construction, Inc., for FC-4943E, Annual Contract to Construct Sidewalks, Driveways, Curbs and Gutters, on behalf of the Department Public Works, **for time only**; and for other purposes.  
**(Councilmember Martin made a motion to approve as amended)**

**FAVORABLE AS AMENDED**

- 12-R-1361 ( 5)     An **Amended** Resolution by City Utilities Committee authorizing the Mayor to enter into Renewal Agreement No. 2 with SD&C, Inc., for FC-4943D, Annual Contract to Construct Sidewalks, Driveways, Curbs and Gutters, on behalf of the Department Public Works, **for time only**; and for other purposes.  
**(Councilmember Martin made a motion to approve as amended)**

**FAVORABLE AS AMENDED**

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**RESOLUTIONS (CONT'D)**

- 12-R-1362 ( 6)      A Resolution by City Utilities Committee authorizing the Mayor to enter into Renewal Agreement Number 2 with Kemi Construction, Inc., for FC-4943B, Annual Contract to Construct Sidewalks, Driveways, Curbs and Gutters, on behalf of the Department Public Works, **for time only**; and for other purposes.  
**(Councilmember Martin made a motion to approve)**

**FAVORABLE**

- 12-R-1363 ( 7)      A Resolution by City Utilities Committee authorizing the Mayor to enter into Renewal Agreement No. 2 with Precision, 2000, Inc., for FC-4943C, Annual Contract to Construct Sidewalks, Driveways, Curbs and Gutters, on behalf of the Department Public Works, **for time only**; and for other purposes.  
**(Councilmember Martin made a motion to approve)**

**FAVORABLE**

- 12-R-1364 ( 8)      A Resolution by City Utilities Committee authorizing the Mayor to enter into Renewal Agreement No. 2 with CP Richards Construction, Inc., for FC-4943A, Annual Contract to Construct Sidewalks, Driveways, Curbs and Gutters, on behalf of the Department Public Works, **for time only**; and for other purposes.  
**(Councilmember Martin made a motion to approve)**

**FAVORABLE**

- 12-R-1365 ( 9)      A Resolution by City Utilities Committee authorizing the Mayor to enter into Amendment No. 2 with Player and Company, Inc., for FC-5011, Annual Contract for Major Electrical Service and Repair on behalf of the Department of Watershed Management, to provide Maintenance and Mechanical Repairs at the Department of Watershed Management Facilities in an amount not to exceed \$182,780.00; all contracted work to be charged to and paid from the Fund, Department Organization and Account Numbers listed; and for other purposes.  
**(Councilmember Martin made a motion to approve)**

**FAVORABLE**

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**RESOLUTIONS (CONT'D)**

- 12-R-1366 (10) A Resolution by City Utilities Committee authorizing the Mayor to enter into Renewal No. 2 with Decanter Machine, Inc., for FC-4939, Annual Centrifuge Maintenance and Repair, on behalf of the Department of Watershed Management, in an amount not to exceed \$1,188,600.00; all contracted work will be charged to and paid from the Fund, Department Organization and Account Numbers listed; and for other purposes.  
**(Councilmember Martin made a motion to approve)**

**FAVORABLE**

- 12-R-1367 (11) A Resolution by City Utilities Committee authorizing the Mayor to enter into Amendment No. 1 with WWPS, LLC, for FC-5010, Annual Contract for Major Mechanical Service and Repairs, on behalf of the Department of Watershed Management, to provide Maintenance and Mechanical Repairs at the Department of Watershed Management Facilities in an amount not to exceed \$1,235,500.00; all contracted work to be charged to and paid from the Fund, Department Organization and Account Numbers listed; and for other purposes.  
**(Councilmember Martin made a motion to approve)**

**FAVORABLE**

- 12-R-1368 (12) A Resolution by City Utilities Committee authorizing the Mayor to enter into Amendment No. 1 with Electrical Testing, Inc., for FC-5031, Annual Contract with for Electrical Testing and Inspection Services, on behalf of the Department of Watershed Management, for additional Electrical Testing and Inspection Services in an amount not to exceed \$809,822.00; all contracted work to be charged to and paid from the Fund, Department Organization and Account Numbers listed; and for other purposes.  
**(Councilmember Martin made a motion to approve)**

**FAVORABLE**

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**G. PAPERS HELD IN COMMITTEE**

- 10-O-1058 ( 1)     An **Amended** Ordinance by City Utilities Committee to amend Chapter 154 (Utilities), Article III (Water), Division I (Generally) of the City of Atlanta, Code of Ordinances. for the Department of Watershed Management Bureau of Drinking Water to adjust Meter Hydrant Service and Installation Fees; and for other purposes. **(Amended and held 7/13/10) (Public Hearing held 9/21/10)**

**HELD**

- 10-O-1059 ( 2)     A **Substitute** Ordinance by City Utilities Committee to amend Section 173 (Charges for Sewers laid by Developer for Use of Development), Division 2 (Assessments), Chapter 154 (Utilities), Article IV (Sewer Construction and Assessments), of the City of Atlanta Code of Ordinances to increase certain fees and impose new fees for Pipe and Structural Inspection, Erosion Control and Construction Inspection, Site Plan Review, and other services; to create a new Section 318 (Application Fees), Article VII (Riparian Buffer Requirements) Chapter 74 (Environment), to impose a new fee for plan review related to Riparian Buffer authorized Encroachment Applications; to create a new Section 521 (Fees), Article X (Post Development Stormwater Management) Chapter 74 (Environment) to impose a new fee for Plan Review related to Post Development Stormwater Management; to create a new Section 208 (Fees), Article VI (Flood Area Regulations) Chapter 74 (Environment) to impose a new fee for plan review related to Flood Plain Management; to create a new Section 406 (Fees), Article VIII (Wetland Protection Regulations) Chapter 74 (Environment) to impose a new fee for plan review related to Wetlands Protection; and for other purposes. **(Held 6/29/10 for a Public Hearing) (Substituted and held 9/14/10) (Public Hearing held 9/21/10)**

**HELD**

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**PAPERS HELD IN COMMITTEE**

- 10-O-1688 ( 3)     An Ordinance by Councilmembers Ivory L. Young, Jr. and Michael J. Bond, authorizing the Mayor or his designee to abandon the portion of James P. Brawley Drive, SW located between Beckwith and Martin Luther King, Jr. Drive, SW on the east and located between Mitchell Street, SW and Beckwith Street, SW on the west and being more specifically described in Exhibit "A" and more completely described in Exhibit "B" lying and being in Land Lot 109 of the 14<sup>th</sup> District, Fulton County, Georgia; to abandon the portion of Mitchell Street, SW between James P. Brawley Drive, SW and Paschal Boulevard, SW as marked on Exhibit "A" and more completely described in Exhibit "C"; to abandon Student Nonviolent Coordinating Committee ("SNCC") Way, SW between 399.76' south of Mitchell Street, SW and Beckwith Street, SW on the west side and between Mitchell Street, SW and Beckwith Street, SW on the west side as marked on Exhibit "A" and more completely described in Exhibit "D"; and for other purposes. **(To be advertised for a Public Hearing) (Held 9/14/10 for further discussions and a Public Hearing)**

**HELD**

- 11-O-0080 ( 4)     An Ordinance by Councilmember Kwanza Hall authorizing the Mayor or his designee to impose a Moratorium on street name changes for six (6) months; and for other purposes. **(Held 1/14/11 at the request of the author)**

**HELD**

- 11-R-0088 ( 5)     A Resolution by Councilmembers Michael J. Bond, H. Lamar Willis, Aaron Watson, Ivory L. Young, Jr. and Cleta Winslow authorizing the Mayor or his designee to enter into an agreement between the City of Atlanta and the Urban Villa Neighborhood Association allowing the installation of a neighborhood sign within a certain right-of-way; and for other purposes. **(Held 1/14/11 for further review)**

**HELD**

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**PAPERS HELD IN COMMITTEE**

- 11-O-0108 ( 6)     An Ordinance by Councilmember Michael J. Bond to designate the intersection of Atlanta Student Boulevard, SW and Walnut Street, SW, Flipper Temple AME Square; and for other purposes. **(To be advertised for a Public Hearing)**  
**(Held 2/1/11 for further discussion)**

**HELD**

- 12-R-0376 ( 7)     A Resolution by City Utilities Committee authorizing the initiation of the process of renaming that portion of Greenbriar Parkway between Barge Road to the west and the intersection of Greenbriar Parkway and Continental Colony Parkway to the east to Tyler Perry Way by and through actions of the Commissioner of Department of Public Works or his designee; and for other purposes. **(Held 3/13/12 for further review)**

**HELD**

- 12-O-0563 ( 8)     An Ordinance by City Utilities Committee to amend Article V of Chapter 154 of the Atlanta City Code entitled "Sewerage Disposal" (§154-196 et seq.); to address findings of a Pretreatment Compliance Audit conducted by the United States Environmental Protection Agency; and for other purposes. **(Held 5/15/12 for further review)**

**HELD**

- 12-R-0965 ( 9)     A Resolution by Councilmember Natalyn M. Archibong **as substituted by City Utilities Committee** authorizing payment of stipulated penalties imposed by the Environmental Protection Agency (EPA) and the Environmental Protection Division of the Department of Natural Resources of the State of Georgia (EPD) in the amount of \$25,500 as stipulated penalties for the violation of CSO Fecal Coliform Operational Standards at the Clear Creek CSO on July 12, 2012 and October 1, 2012 and at the Tanyard Creek CSO on October 1, 2012 pursuant to the CSO Consent Decree, Civil Action File No. 1:95-CV-2550-TWT; to identify the source of funding; and for other purposes.

**(Councilmember Martin made a motion to approve on substitute)**

**FAVORABLE ON SUBSTITUTE**



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**PAPERS HELD IN COMMITTEE**

- 12-R-1063 (10) A Resolution by City Utilities Committee authorizing the Mayor or his designee to execute a Contract with SD&C, Inc., for FC-5295, East Atlanta Streetscape Project, Project Number CSSTP-0006-00(717), P. I. No. 0006717, on behalf of the Department of Public Works, in an amount not to exceed \$840,378.66; all contracted work shall be charged to and paid from Various Fund, Department Organization and Account Numbers; and for other purposes. **(Held 8/28/12 for further review)**

**HELD**

- 12-R-1161 (11) A Resolution by City Utilities Committee authorizing the Mayor to enter into an agreement with \_\_\_\_\_ for FC-6164, Peachtree Creek Capacity Relief and Pump Station – Phase 1 Site Preparation, on behalf of the Department of Watershed Management, in an amount not to exceed \$\_\_\_\_\_; all contracted work will be charged to and paid from Fund, Organization Department and Account and PTAEONumbers\_\_\_\_\_; and for other purposes. **(Held 9/11/12 for further review)**

**HELD**

- 12-O-1316 (12) An Ordinance by Councilmember Keisha Lance Bottoms to amend various Sections of Chapter 154, Section 2-222(13) and 2-280 of the City of Atlanta Code of Ordinances for the purpose of amending and restating the Organizational Structure of the Department of Watershed Management into various operation offices within the Department; and for other purposes.  
**(Councilmember Martin made a motion to approve)**

**FAVORABLE (1 ABSTENTION) ARCHIBONG**

**H. REQUESTED ITEMS**

1. Councilmember Adrean requested metrics be developed to show compliance with safety procedures. (i.e. # of incidents, % of time in compliance) - Watershed

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**REQUESTED ITEMS (CONT'D)**

2. The Sidewalk Task Force met Wednesday, September 26, 2012 from 5:30 to 7:00 p.m.
3. Councilmember Archibong requested that the staff schedule visits to all of the Department of Watershed facilities.
4. Councilmember Adrean requested a list of the infrastructure in need of repair and a 5 Year Financial Plan from the Department of Watershed Management.
5. Councilmember Adrean requested a report on the Small Meter Audit. (findings, recommendations, cost, implementation phase, etc.) The report is due at the end of October.
6. Councilmember Adrean requested a report on how much the citizens of Atlanta is spending in gas taxes annually.
7. A report on the Safety Program in the Department of Watershed Management
  - a. What the City has paid so far in claims?
  - b. How many cameras have been purchased?
  - c. A report on the City of Atlanta purchases/investments for the past five (5) years on safety concerns.
  - d. What are the present and future plans?
8. Councilmember Adrean requested a detail report on the MOST projects
  - a. A detail project list
  - b. The percentage used for Consent work.
9. Councilmember Martin requested a detail copy of the Small Business Development Program from the Department of Watershed Management.
10. The City Utilities Committee will tour the Department of Public Works Solid Waste facilities on Monday, October 22, 2012 8:30 a.m. to 1:30 p.m.

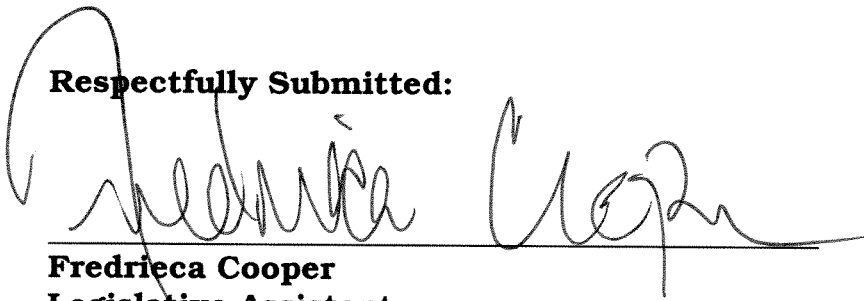
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**REQUESTED ITEMS (CONT'D)**

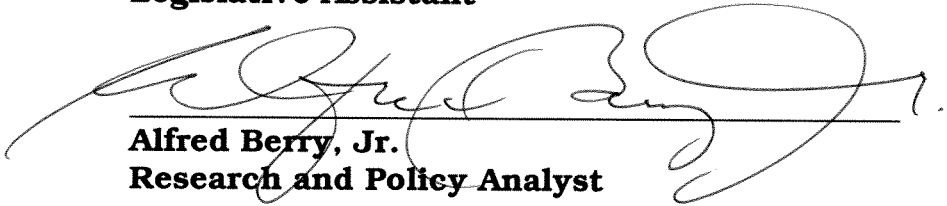
11. Councilmember Watson requested a list of the amount and employees that will transfer from the PMT staff to the Department of Watershed Management staff.

**There being no further business to come before the Committee, the meeting adjourned at 12:30 p.m.**

**Respectfully Submitted:**



**Fredriecca Cooper  
Legislative Assistant**



**Alfred Berry, Jr.  
Research and Policy Analyst**



**The Honorable Natalyn M. Archibong, Chair  
City Utilities Committee**